

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

PLAINTIFF CALLAWAY GOLF'S PROPOSED VERDICT FORM

I. ANTICIPATION

1. Has Acushnet proven, by clear and convincing evidence, that any of the following claims are invalid as anticipated?

“Yes” is a finding for Acushnet; “No” is a finding for Callaway Golf

U.S. Patent No. 6,210,293 (the ‘293 patent):

(A)	Claim 1:	Yes	_____	No	_____
(B)	Claim 4:	Yes	_____	No	_____
(C)	Claim 5:	Yes	_____	No	_____

U.S. Patent No. 6,503,156 (the ‘156 patent)

(A)	Claim 1:	Yes	_____	No	_____
(B)	Claim 2:	Yes	_____	No	_____
(C)	Claim 3:	Yes	_____	No	_____

U.S. Patent No. 6,506,130 (the ‘130 patent)

(A)	Claim 5:	Yes	_____	No	_____
-----	----------	-----	-------	----	-------

U.S. Patent No. 6,595,873 (the ‘873 patent)

(A)	Claim 1:	Yes	_____	No	_____
(B)	Claim 3:	Yes	_____	No	_____

II. OBVIOUSNESS

2. Has Acushnet proven, by clear and convincing evidence, that any of the following claims are invalid due to obviousness?

“Yes” is a finding for Acushnet; “No” is a finding for Callaway Golf

U.S. Patent No. 6,210,293 (the ‘293 patent)

(A)	Claim 1:	Yes	_____	No	_____
(B)	Claim 4:	Yes	_____	No	_____
(C)	Claim 5:	Yes	_____	No	_____

U.S. Patent No. 6,503,156 (the ‘156 patent)

(A)	Claim 1:	Yes	_____	No	_____
(B)	Claim 2:	Yes	_____	No	_____
(C)	Claim 3:	Yes	_____	No	_____

U.S. Patent No. 6,506,130 (the ‘130 patent)

(A)	Claim 5:	Yes	_____	No	_____
-----	----------	-----	-------	----	-------

U.S. Patent No. 6,595,873 (the ‘873 patent)

(A)	Claim 1:	Yes	_____	No	_____
(B)	Claim 3:	Yes	_____	No	_____

III. DAMAGES

3. If you have found any claim valid, please state the amount that will fairly compensate Callaway Golf for Acushnet's infringement:

Amount: \$ _____

SO SAY WE ALL, this ____ day of March, 2010.

Foreperson

Dated: February 26, 2010

FISH & RICHARDSON P.C.

By: /s/ Thomas L. Halkowski

Thomas L. Halkowski (#4099)
222 Delaware Avenue, 17th Floor
P.O. Box 1114
Wilmington, DE 19899-1114

Frank E. Scherkenbach
225 Franklin Street
Boston, MA 02110-2804
Tel: (617) 542-5070

Roger A. Denning
12390 El Camino Real
San Diego, CA 92130
Tel: (858) 678-5070

Attorneys for Plaintiff
CALLAWAY GOLF COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2010, the attached document was electronically filed with the Clerk of Court using CM/ECF which will send electronic notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on February 26, 2010, I have Electronically Mailed the document to the following person(s):

Richard L. Horwitz
David E. Moore
Potter Anderson & Corroon LLP
Hercules Plaza
1313 North Market Street, 6th Floor
P.O. Box 951
Wilmington, DE 19899
rhorwitz@potteranderson.com
dmoore@potteranderson.com

Attorneys for Defendant
ACUSHNET COMPANY

Alan M. Grimaldi, Esq.
Joseph P. Lavelle
Brian Rosenthal
Clint Brannon
Kenneth Donnelly
Howrey LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004
grimaldia@howrey.com
lavellej@howrey.com
rosenthalB@howrey.com
brannonC@howrey.com
donnellyk@howrey.com

Attorneys for Defendant
ACUSHNET COMPANY

Hency C. Bunsow
Howrey LLP
525 Market Street, Suite 3600
San Francisco, CA 94105-2708
BunsowH@howrey.com

/s/ Thomas L. Halkowski
Thomas L. Halkowski